

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Docket No.: KRAUS

In re Application of:)
MANFRED KRAUS & MICHAEL BOGNER)
Cont. of Int. Appl. No.: PCT/EP02/09378)
Int. Filing Date: August 22, 2002)
For: TENSIONER WITH ADJUSTABLE BIASING FORCE OF A TRACTION MEMBER)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

Express Mail mailing label number: EV 375169564 US
Date of Deposit: March 22, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450".
ANTONELLA FUSILLO [Name of person mailing paper or fee]
 [Signature]

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of attention of the Examiner to the references listed on enclosed form PTO-1449 which were cited in the instant specification, in the International Search Report issued by the European Patent Office with regard to the corresponding International patent application No. PCT/EP02/09378 and in the German Search Report issued by the German Patent Office with regard to the corresponding German patent application No. 101 46 612.9, respectively. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

Copies of these references are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

- ☒ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.
- ☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.
- ☐ The undersigned submits the following statement requesting consideration of this statement:

The undersigned hereby states:

- [] That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
- [] That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.
- [] The fee of \$180.00 set forth in 1.17(p).
- [] The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.
- [] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In order to satisfy the requirement under 37 C.F.R. §1.98(a)(3) for a concise explanation of the relevance of each item of information, applicant herewith submits a copy of the International and German Search Report together with a translation of the relevant pages thereof.

The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted

By: 

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Form PTO-1449U.S. Department of Commerce
Patent and Trademark Office**INFORMATION DISCLOSURE CITATION****Attorney's Docket No.****KRAUS****Applicant****MANFRED KRAUS et al.****Cont. of Int.. Appl. No.****PCT/EP02/09378****Int. Filing Date****August 22, 2002****Group****Examiner****U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date, if appropriate
	5,064,405	11-12-1991	St. John			
	5,176,581	01-05-1993	Kumm			

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation
	WO 02 48577 A	06-20-2002	PCT			no
	DE 101 18 277 A	10-17-2002	Germany			no
	JP 01 093656 A	04-12-1989	Japan			abstract
	DE 40 33 777 A	04-30-1992	Germany			no
	JP 01 135952 A	05-29-1989	Japan			abstract
	DE 196 04 182 A1	09-26-1996	Germany			no
	DE 41 14 716 A1	11-12-1992	Germany			no
	EP 06 76 537 B1	12-02-1998	Europe			yes
	DE 198 45 710 A1	04-06-2000	Germany			no
	WO 00 57 083 A1	09-28-2000	PCT			yes
	EP 11 22 464 A1	08-08-2001	Europe			no
	DE 43 43 429 A1	06-22-1995	Germany			no

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner:**Date considered:**

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

101 46 612.9

Deutsches Patent- und Markenamt · 80297 München

Anlage 1

zur Mitteilung über die ermittelten Druckschriften
gemäß § 43 des Patentgesetzes

Druckschriften:

DE 198 45 710 A1
DE 41 14 716 A1
EP 11 22 464 A1

DE 196 04 182 A1
EP 06 76 537 B1
WO 00 57 083 A1

Deutsches Patent- und Markenamt

80297 München

Für den Anmelder / Antragsteller

Anlage 2

zur Mitteilung der ermittelten Druckschriften

Aktenzeichen

101 46 612.9

Erläuterungen zu den ermittelten Druckschriften:

1	2			3
Kate- gorie	Ermittelte Druckschriften/Erläuterungen			Betrifft Anspruch
Y	DE	196 04 182 A1	Fig.1-5	1,3-6,9
Y	DE	41 14 716 A1	Fig.1,2	1,3-6
Y	EP	06 76 537 B1	Fig.1-11	1,3-6,8
D,A	DE	198 45 710 A1	Fig.1	1
A	WO	00 57 083 A1	Fig.	3-9
A	EP	11 22 464 A1	Fig.1-4,6	1,2,10

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Date: 05-13-2002 Page: 1

Appl. No.: 101 46 612.9

ANNEX 1

for information about the researched references according to § 43 of the Patent
law

References:

DE	198 45 710 A1
DE	41 14 716 A1
EP	11 22 464 A1

DE	198 04 182 A1
EP	06 76 537 B1
WO	00 57 083 A1

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ANNEX 2

Appl. No.: 101 46 612.9

DOCUMENTS CONSIDERED TO BE RELEVANT

1	2	3
Category	Citation of Documents, with indication, where appropriate, of the relevant passages	Relevant to claim no.
Y	DE 196 04 182 A1 Fig.1-5	1,3-6,9
Y	DE 41 14 716 A1 Fig.1,2	1,3-6
Y	EP 06 76 537 B1 Fig.1-11	1,3-6,8
D,A	DE 198 45 710 A1 Fig. 1	1
A	WO 00 57 083 A1 Fig.	3-9
A	EP 11 22 464 A1 Fig.1-4,6	1,2,10